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EXAMINER

TOPGYAL, GELEK W

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

10/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/981,288

Applicant(s)

PARK ET AL.

Examiner

Gelek Topgyal

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-24** are rejected under 35 U.S.C. 102(e) as being anticipated by Purnaveja et al. (US 6,230,172).

**Regarding claim 1**, Purnaveja et al. teaches a data storage medium comprising:  
main data including audio data and/or video data (Fig. 5, and col. 6, lines 23-31 teaches Video file 500 that can include audio and video data);

sub data recorded in a separate bitstream from the main data to be reproduced in synchronization with the main data by a reproducing apparatus (Fig. 7, 8, col. 6, lines 45-53 and col. 7, lines 40-52 teaches of a ticker annotation stream 800b that is stored in a separate file than the video file 500); and

navigation information defining a relation required for the main data and the sub data to be output in synchronization with each other by the reproducing apparatus (Fig. 2, Client computer 240),

wherein the navigation information (Fig. 8B, annotation streams 800b includes event time markers 824a) is generated by a recording apparatus (Fig. 2, production station 210 and producer 215) when the main data and the sub data are recorded in different areas on the data storage medium (Video file 500 and ticker annotation stream 800b are stored in separate files as illustrated in Figs. 5 and 8b), to define the relation required for the main data and the sub data for searching and content reproduction (col. 9, lines 40-62 teaches wherein event time markers are used to play back "ticker" annotation data synchronously with the main video and audio data), and

wherein the navigation information comprises identifiers (Col. 8, lines 38-53 teaches of filenames for ticker annotation stream and video file (referred to as "VCR" applet)) to identify particular bitstreams of the main data and the sub data recorded in different areas on the data storage medium for searching and content reproduction, and playback time information (col. 9, lines 40-62 teaches wherein event time markers are used to play back "ticker" annotation data synchronously with the main video and audio data) for the sub data corresponding to the main data.

**Regarding claim 2**, Purnaveja et al. teaches the claimed further comprising extra data (Col. 5, lines 39-49 teaches of the plurality of other annotation streams that are reproducible along with main video file 500, e.g. in col. 9, line 64 through col. 10, line 3, a “data annotation stream” that is reproducible synchronously in the same manner as the “ticker” annotation data as discussed above in claim 1) recorded in a separate bitstream from the main data and the sub data to be reproduced in connection with the main data by the reproducing apparatus, wherein the navigation information further defines a relation required for the main data and the extra data to be output in synchronization with each other by the reproducing apparatus (Col. 5, lines 39-49 teaches of the plurality of other annotation streams that are reproducible along with main video file 500, e.g. in col. 9, line 64 through col. 10, line 3, a “data annotation stream” that is reproducible synchronously in the same manner as the “ticker” annotation data as discussed above in claim 1), and further comprises playback time information (Col. 5, lines 39-49 teaches of the plurality of other annotation streams that are reproducible along with main video file 500, e.g. in col. 9, line 64 through col. 10, line 3, a “data annotation stream” that is reproducible synchronously in the same manner as the “ticker” annotation data as discussed above in claim 1) for the extra data corresponding to the main data, and wherein the main data, the sub data and the extra data are recorded simultaneously by alternation or in a predetermined sequential order in different areas on the data storage medium (Fig. 2 and 3, Stream server 220 stores all the data).

**Regarding claim 3**, Purnaveja et al. teaches the claimed wherein the main data are received and encoded by an internal encoder or are input through a digital interface and recorded on the data storage medium (Fig. 3, Capture Module 317 and supporting disclosure).

**Regarding claim 4**, Purnaveja et al. teaches the claimed wherein the sub data and/or the extra data are received and encoded by an internal encoder (Fig. 3, Capture Module 317 and supporting disclosure) or are input through the digital interface (Fig. 3, Capture Module 317 and supporting disclosure) and recorded on the data storage medium.

**Claims 5-6** are rejected for the same reasons as discussed above in claims 1-2, respectively.

**Regarding claims 7-12**, as discussed in claims 3 and 4 above, the capture module 317 can receive both analog and digital signals from the user. Furthermore, it is taught by Purnaveja et al. that annotation streams can be of textual/graphical ("documents") information, which can be of analog or digital type.

**Reproducing method claim 13 and 16** is rejected for the same reasons as discussed in claim 1 and 2 above, and furthermore, Purnaveja et al. teaches in col. 8, line 11 through col. 9, line 67 of a method of reproducing the video file 500 synchronously with the multiple annotation streams ("ticker annotation stream" and "data annotation stream") with the use of navigation information stored within the annotation streams.

**Regarding claims 14-15**, Purnaveja et al. teaches wherein the video file 500 and the multiple annotation streams are output and decoded by main client module 960 (Fig. 9).

**Reproducing claims 17 and 20** are rejected for the same reasons as discussed in claims 1 and 2 above.

**Claims 18 and 19** are rejected for the same reasons as discussed in claims 14-15 above, respectively.

**Claims 21-24** are rejected for the same reasons as discussed above in claims 17-20, respectively, and furthermore, the relationship between the "ticker" annotation data and "data" annotation data (or the many possible combinations of the number of annotation streams) are linked to each other via the video file 500, and therefore are reproducible in synchronization with each other.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

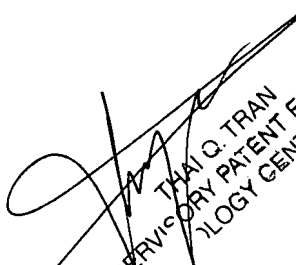
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gelek Topgyal whose telephone number is 571-272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GT  
9/24/2007

  
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